

Popularising and Implementing the Africa Women's Protocol in Mozambique and South Africa



PQWA
People Opposing Women Abuse

Introduction

This programme insights paper highlights some of the work supported by Oxfam GB Southern Africa to popularise and lobby for the ratification, domestication, and implementation of the Protocol to the African Charter on Human and People's Rights on the Rights of Women (the Africa Women's Protocol) in South Africa and Mozambique.

When the Africa Women's Protocol entered into force, it became a potentially effective tool for advancing the rights of African women. Unfortunately, unless people from all walks of life: grassroots women, judges, police officers, government officials, men and women's rights advocates know about instruments like Convention on the Elimination of All forms of Discrimination Against Women (CEDAW) and the Protocol, their effectiveness will continue to be grossly undermined.

A major challenge identified by the policy research on the Africa Women's Protocol commissioned by Oxfam GB to promote its effective use and implementation was lack of awareness among key actors. At the time of the research, 2004–2005, the level of awareness was woefully low, especially among actors critical to its effective implementation, such as the media and community-based organisations. This underscored the need to popularise the Protocol.

Oxfam GB Southern Africa has supported efforts to popularise the Protocol, working with its partners in South Africa and Mozambique. From the outset it must be emphasised that awareness-raising activities must be closely linked to efforts to domesticate the Africa Women's Protocol and integrate it into national legislation and policies so that its positive impact can be felt by ordinary women.

Concrete activities to promote ratification and popularisation of the Protocol

The table below summarises some of the methods, tools, and activities that can help popularise the Protocol and promote its ratification.¹

BROAD METHODS	POSSIBLE TOOLS FOR DISSEMINATION	POSSIBLE ACTIVITIES FOR POPULARISATION
Promotion of ratification.	Pamphlets of simplified versions of the Protocol.	Media campaigns using TV, radio, newspapers.
Popularisation of the existence of the Protocol and unpacking its implications for the promotion of gender equality as a whole, as well as for	Translations of the Protocol into local languages and official languages such as Portuguese. Handbooks on the Protocol and its	Use of popular culture such as drama, music, soap operas, and art. Seminars for academicians, policy makers, government representatives, and civil-society organisations.

<p>well as for specific sectors.</p> <p>Specific actions based on and for the Protocol.</p> <p>Integration of the Protocol into existing campaigns and activities.</p>	<p>relevance to women in the particular country.</p> <p>Websites on the Protocol, its relevance, and how individuals and organisations can get involved in the campaign for its implementation.</p> <p>Posters and a slogan to help focus the campaign.</p> <p>Indicators to monitor and evaluate Protocol since it entered into force.</p> <p>Model curriculum for use in schools.</p>	<p>society organisations.</p> <p>Face to face 'meet the people' tours to sensitise women at the grassroots level.</p> <p>Correspondence campaigns: letters and text messages lobbying policy makers that play a role in the ratification process.</p> <p>Essay writing competitions for girls and boys in schools.</p>
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Country experiences

This paper highlights some of the strategies that have been undertaken in the Mozambique and South Africa.

Mozambique

One of the greatest challenges encountered in making supra-national women's-rights commitments work for ordinary women is consistently translating them from the global and regional to the national and local levels. Yet unless this is done they remain lofty and detached from the day-to-day realities of societies.

Oxfam GB has supported partners to lobby for the ratification, domestication, and implementation of the Africa Women's Protocol. Partners have also been engaged in popularisation to make the Protocol more accessible.

The Mozambique experience demonstrates that despite conflict, poverty, and other hurdles, progress can be made if the right individuals and institutions work together and determine to make a difference.

Background

Mozambique is home to the Protocol. It was here in Maputo on 11 July 2003 that African Union Heads of State and Government adopted the Africa Women's Protocol.

A former Portuguese colony, Mozambique attained independence in 1975 after a long liberation struggle. Women, organised under the Mozambique Women's Organization, contributed significantly to the struggle. Unfortunately, peace was

not among the fruits of freedom. A civil war broke out in 1976 between the ruling party Frente De Libertação de Moçambique (FRELIMO) and Resistência Nacional de Moçambique (RENAMO). It went on until 4 October 1992 when a ceasefire agreement was finally signed.

The long war took a heavy toll on Mozambique; destroying life, property, and infrastructure and disrupting socio-economic life. Alongside the challenge of promoting gender equality and protecting women's rights, Mozambique continues to grapple with challenges like poverty, HIV and AIDS, and low literacy levels, which are exacerbated by the after-effects of conflict.

However, Mozambique has tried to raise the status of women. Articles 35–36 of the Constitution enshrine the principle of gender equality. The Family Law, adopted in December 2003, attempts to reconcile customary and statutory law. It improves the legal protection of women by raising the minimum age of marriage to 18 for both women and men; guaranteeing the right of women to share property upon divorce; and recognising traditional marriages.

Vibrant women's organisations are taking the struggle for gender equality forward.

Experience with international instruments

Mozambique ratified CEDAW in June 1993, through Resolution No. 4193 of the Assembly of the Republic. CEDAW is being domesticated and has been incorporated into the Labour Law, Land Law, and Family Law areas, as well as in toeducation, health, and agriculture national policies.

The government of Mozambique has ratified the International Covenant on Civil and Political Rights and its second, optional protocol, as well as other major human-rights treaties, including the Convention on the Rights of the Child and its optional protocol, which deals with the sale of children and child prostitution; the African Charter on the Rights and Welfare of the Child; the Convention on the Elimination of all forms of Racial Discrimination, the Convention Against Torture; and the Africa Women's Protocol. Mozambique has signed the Southern Africa Development Community (SADC) Gender and Development Declaration and its Addendum on Violence against Women. These instruments contain important provisions and provide a framework for policy and legislation at national level.

Many of these international instruments require the government to submit periodic reports on the steps taken to implement them, including detailed data on the degree to which rights are being implemented and the main constraints faced in the implementation process. The ratification of CEDAW provides a form of international accountability with regard to the rights of women. Thus, the ratification of the Africa Women's Protocol provides a form of regional accountability.

Oxfam GB supported the coalition of NGOs that lobbied for the ratification of the Protocol. Despite the challenges, the coalition's efforts bore fruit. On 9 December 2005, the National Assembly of Mozambique ratified the Africa Women's Protocol. It deposited its instrument of ratification on 31 December 2005,

becoming the 17th country to take this significant step. The welcome ratification meant that the focus could change to domestication and implementation.

Oxfam GB Mozambique has also:

- commissioned research on the Protocol and its implications for Mozambique;
- supported efforts to ensure that the process of enactment and the revision of laws actually takes place;
- supported the dissemination of the Protocol and sensitisation efforts on pro-women legislation and issues;
- supported capacity-building for civil-society organisations and women leaders; and
- endeavoured to integrate the provisions of the Protocol and what it stands for into its country programmes.

Oxfam GB has sequenced its activities according to country priorities. The current focus is on education, legal assistance, and violence against women.

Research

Policy research on the implications of the Africa Women's Protocol for Mozambique was undertaken from 2004–2005. It aimed to enlighten Oxfam GB partners, members of civil-society organisations, and parliamentarians at national and African Union (AU) level. The research formed part of a regional policy study that was conducted in South Africa, Zambia, and Mozambique. The study focused on the thematic areas of violence against women, sexual and reproductive rights, and governance.

Data collection in Mozambique involved both secondary and primary sources. The research team examined key policy documents that relate to women's rights and a number of research reports that had been undertaken in Mozambique. The research team conducted key informant interviews with representatives from the line ministries such as the Ministry of Women and Social Affairs, parliamentarians, civil-society organisations, and academicians.

To help disseminate, strengthen, and validate the research findings, a national consultative workshop was conducted on 15 April 2005. It also served to popularise the Africa Women's Protocol. The workshop involved key policy makers in government line ministries and Parliaments, women's-rights organisations, academia, the media, and Oxfam GB partners and staff.

The key outcomes of the consultative workshop were:

- The formation of a national coalition to lobby for the ratification and popularisation of the Africa Women's Protocol. It consisted of Women and Law in Southern Africa (WLSA), Legal and Human Rights Coalition, Women in Law and Development (WILDAF), MULEIDE (Mulher Lei e Desenvolvimento), Nhamai, and FADAJ. Forum Mulher was nominated as the lead agency.
- The development of strategies to lobby for and popularise the Africa Women's Protocol. These spelt out what the different sector ministries and

civil-society organisations could incorporate into their plans to further women's rights.

- Identification of specific areas in the Africa Women's Protocol that Oxfam GB could integrate in the Zambezia education programme in Mozambique.

Implications of the Africa Women's Protocol

This section assesses the Africa Women's Protocol in relation to the thematic areas of governance, violence against women, and sexual and reproductive rights of women. Most of the issues presented here are a combination of interviews and discussions that arose during the national consultative workshop.

Governance

National and local government structures had been put in place. National policies had been developed, though effective implementation was still a challenge. This was due to negative attitudes on women's rights, lack of physical infrastructure, and low level of literacy especially in the rural areas, poor resource allocation, and lack of political will to deliver on women's rights.

The African Women's Protocol was perceived as a tool to strengthen national frameworks and machineries on women's rights. National gender machineries were found to be weak, with little decision-making power, under-resourced, and not taken seriously. In Mozambique, the women's-rights machineries were not as elaborate as those in South Africa. There is a Ministry for Women's Affairs and Social Action, and a commission on women's rights chaired by the Prime Minister, composed of sectoral ministers and NGOs. Representation on this commission was perceived by participants as unrepresentative.

The Protocol was also perceived as a tool that can be used to remind states to live up to the earlier commitments on women's rights. The women's movement was found to be weak and the Africa Women's Protocol was perceived as a tool that can be used to re-awaken and strengthen the women's movement.

Violence against women (Articles 1–5)

Mozambique has adopted most of the international instruments that tackle social justice in order to improve the environment for the acceptance of Article 4 in the Protocol.

Non-discrimination and gender-equality principles were already contained in the national policy framework. In Mozambique, most of the issues in Article 4 (nationality of women (5c), women's property rights (5f), and punishment for perpetrators of violence (4,2e)) were found to be covered, though implementation is a challenge.

New dimensions of violence against women contained in the Protocol include: the right to a positive cultural environment (Article 17); the issues of trafficking of women (Article 4 (2g)) (Mozambique recently introduced legislation on trafficking); peace education in schools (4,2d); legislation on domestic violence, access to information, service and rehabilitation to victims of violence (4,2f), refugee status (4,2k), and nationality of children.

At present, the penal code punishes sexual violence, except in cases where the perpetrator is the husband. Therefore the law in force does not provide a comprehensive response to the problem. There is a proposal for the criminalisation of domestic violence.

For the last five years, the government has attempted to address sexual violence. The Ministry of Interior/Mozambican Policy has established a sector to deal with violence against women and children (Centros de Atendimento da Mulher e Criança vítimas de violência nas Esquadras da Polícia). Although this implementation has not been widespread, some police stations throughout the country have officials who have been sensitised to take care of women who have been submitted to violence or abused.

Ministries of Women and Social Action, Health, and Interior Affairs in coordination with civil society (NGOs and civil groups) are in the process of establishing shelters (at central and provincial levels) to accommodate victims of domestic violence.

Health and reproductive health (Article 14)

Most issues related to women's sexual and reproductive health were already in place in the national context.

The right to control fertility and decide whether to have children was a new area for women in the country. At present, for most women, sexual and reproductive rights are still a dream. Article 14 (e) on right to know spouses' HIV status will be a new dimension for Mozambique.

Most women do not have a right to decide what methods of contraception to use. Many are not allowed to seek family planning support. Sexual and reproductive rights must be promoted. This means that:

- information on family planning must be disseminated throughout the country especially by the health sector. Associations and organisations working in human and women's rights could support the health sector to disseminate information for example on family planning;
- information that family planning is free of charge has to be disseminated;
- information about HIV and AIDS and prevention must be made available and must use accessible language.

The coverage of family-planning services is still low, and maternal mortality is one of the major problems in the health sector. Abortion is still a taboo topic. Although abortions can only take place after three doctors have confirmed the need for this procedure, there are still incidents where women seek illegal measures to terminate their pregnancies.

Because of the dire need to implement sexually transmitted diseases and HIV and AIDS prevention campaigns, the Ministry of Health and the National AIDS Council have to work in close proximity with several religious groups. Although they do not always agree with prevention techniques, such as the use of condoms and the right to control one's fertility, the collaboration is a positive one.

Teenage pregnancy is a major concern. There are youth programmes in the Ministry of Health (Health of the Youth); Ministry of Youth; Ministry of Education; Youth National Council; and other youth organisations to address this issue. These aim at preventing girls from leaving school, preventing HIV infection, and helping girls deal with and control their sexuality.

Positive cultural environment (Article 17)

During the national consultative workshop, Ms Angela Melo, AU Special Rapporteur on Women Rights, discussed social barriers that will affect the implementation of the Africa Women's Protocol. Negative traditional cultural values perpetuate discrimination against women. These are found in some laws that entrench patriarchy and disadvantage women. The family, through distribution of resources, separation and divorce, violence, widow's rights, and inheritance at times disadvantages women. She therefore called for the establishment of mechanisms for law implementation and emphasised the need to increase women's capacity to claim their rights and to encourage a culture that does not support silence in the face of violence against women.

Domestication

Legal framework

Oxfam GB has supported advocacy efforts for the enactment or revision of gender-friendly laws in line with the Protocol, such as the Law on Domestic Violence. Efforts to have Parliament pass the law and to domesticate the Protocol have encountered a number of problems.

- Procedural challenges: While the Law on Domestic Violence has been placed on the agenda of the sessions, it is always the last item. As a result there has been a tendency to shelve it for the next session over and over again.
- Some parliamentarians do not fully understand the relevance of ratification of the Protocol and its link to implementation at country level.
- Abortion: Efforts to domesticate provisions in the Protocol are made more difficult by issues such as its treatment of abortion. The issue is a very sensitive one in Mozambique and it is almost taboo to discuss it.
- Support from women parliamentarians: Women parliamentarians need to fully understand the importance of supporting the pro-women legislation.
- Lack of media support: The media continues to stereotype the role of women and there have even been some hostile articles on the issue.
- Impact of pending elections: The timing of the debate on the Law on Domestic Violence has coincided with election time. It would be going against the grain for the National Assembly of Mozambique to easily pass the law at this time. Traditionally, the political will for African governments to push for pro-women's rights legislation that goes against tradition, culture, and patriarchy often wanes at election time because women are not yet organised as powerful constituencies.

The Zambezia education programme



The context: Zambezia province

With a land surface area of 105.000 sq. km and a population of over 3.2 million, Zambezia is the second-largest and most populated province in Mozambique. It is also the province that suffered most during the 16-year long civil war and as a result it ranks the lowest on the scale of human development. The main source of income in Zambezia is subsistence farming in the interior, and fishing in the coastal zones. Close to 70 per cent of its inhabitants live below the poverty line. It has an illiteracy rate of 70 per cent. Up to 80 per cent of women live in rural areas. Educational facilities are sparse and poorly equipped and opportunities for further study are limited, particularly for the poor majority. Other challenges include astronomical infant mortality rates, under-five mortality rates, and chronic malnutrition percentages among children below five. HIV and AIDS are highly prevalent among adults between the ages of 15–49. Accessing safe drinking water remains a major challenge for most residents.

Since 1996 Oxfam GB has worked in the education sector of Mozambique. Oxfam GB supported the government in school construction from 1996 to 2001, and from 2002 to 2006 implemented the Zambezia Basic Education Capacity Building Programme (or ZEP I). ZEP I took an integrated approach to improving the quality of basic education in the Province of Zambezia, Districts of Gurue, Alto Molócue, Gile, Ile, and Namarroi, through a focus on access and quality, and HIV and AIDS and gender mainstreaming. It complemented this work with partner capacity-building and advocacy at district, provincial, and national levels.

Quelimane Workshop

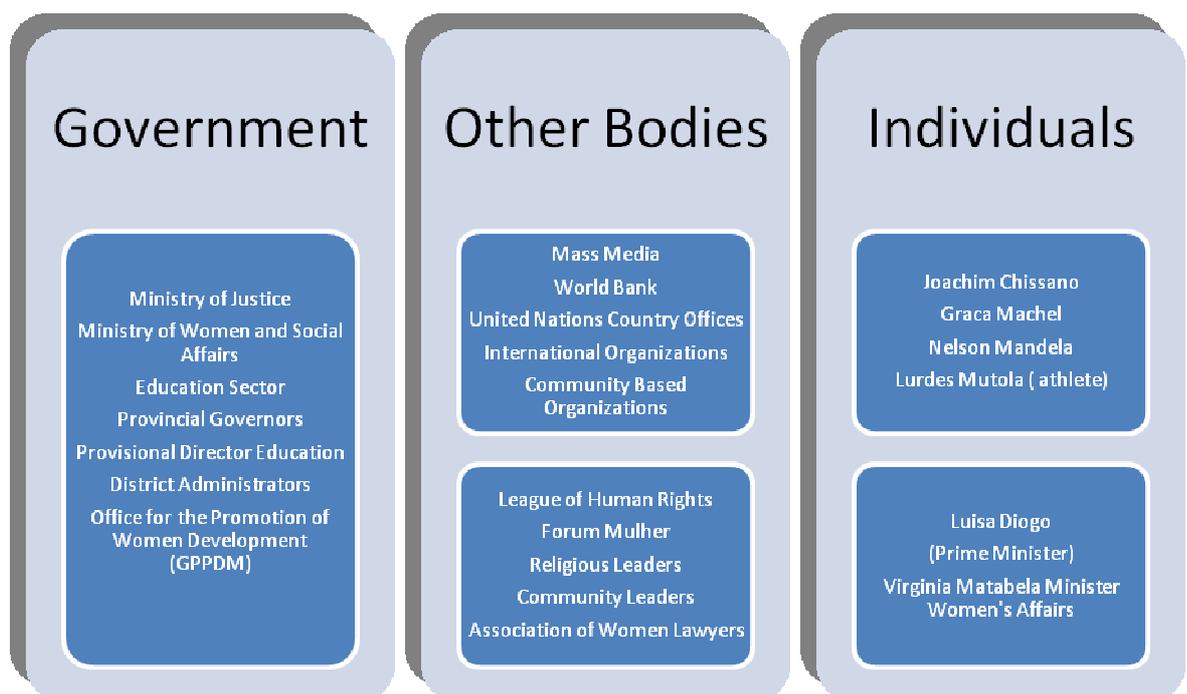
On 20 October 2005, a workshop was held in Quelimane, as one of the strategies to popularise the Africa Women's Protocol in the Zambezia education programme. It was jointly organised by the Association of Women Lawyers in

Mozambique and Forum Mulher to raise awareness about the Protocol and to map strategies on the way forward. It was also part of the effort by the Mozambique Oxfam GB country team to link their programme to the Africa Women’s Protocol. The workshop helped to identify key institutions and individuals that could help bring about the ratification (at the time), popularisation, and domestication of the Protocol.

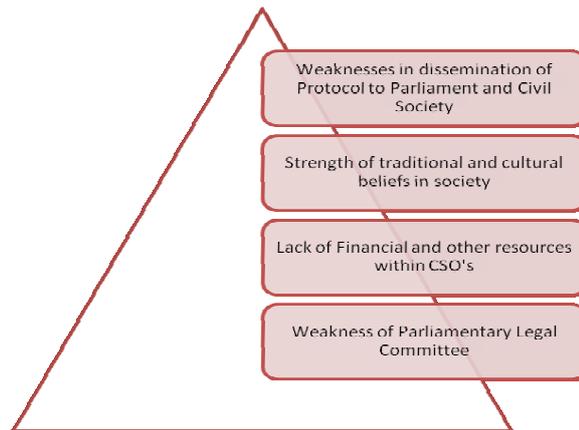
The following strategies were recommended:

- conduct more research about the Africa Women’s Protocol;
- use television and radio to promote debates to popularise the Protocol;
- lobby politicians and decision makers to ratify the protocol;
- disseminate the protocol to parliamentarians;
- sensitise communities and other organisations, provincial and district directorates through workshops and drama;
- publish and disseminate educational materials.

The organisations and individuals below were identified as influential actors that needed to be targeted in the ratifications and popularisation of the Protocol.



Some of the challenges anticipated included:



The Zambezia Education Programme II – Capacity Building and Advocacy for Basic (ZEP II) will be the third phase of Oxfam GB’s work. The project aims to achieve good-quality gender-equitable education for all in the context of HIV and AIDS, using evidence-based advocacy and working with its partners, central government, local governments, NGOs, international NGOs, and civil-society organisations. Oxfam GB Mozambique will integrate the provisions of the Africa Women’s Protocol into its programmes on education, health, reproductive health, and HIV and AIDS to promote the rights-based approach to improving the lives of women, men, and children. This is a positive illustration of how to give human-rights instruments real meaning for ordinary people.

Conclusion

The Mozambique experience emphasises the close link between ratification, popularisation, and domestication, as well as the need to sustain the momentum and create linkages for the different activities. It also highlights the fact that rather than hampering it, difficult historical circumstances can spur positive action in favour of women’s rights. Oxfam GB partners in Mozambique have undertaken a commendable number of activities. However, the battle is far from won. *La lotta continua!*

South Africa

South Africa has ratified CEDAW (without reservation). The 1996 Constitution incorporates many of the rights enshrined in international commitments. A number of progressive laws and policies are in place. Laws include the Promotion of Equality and Prevention of Unfair Discrimination Act, the Domestic Violence Act, and the Maintenance Act.

South Africa has put in place an elaborate and sophisticated national gender machinery comprising of the Office on the Status of Women and Gender Focal Points in the Executive; the Joint Committee on the Improvement of Quality of Life and Status of Women, and an independent statutory body (the Commission on Gender Equality). The country’s efforts to promote gender equality are loosely governed by the National Gender Policy on Gender Equality and Women’s Empowerment (2000). On the whole, there is a positive legislative, policy, and institutional framework with regard to gender equality.

However, serious gaps remain between legal equality, elaborate policies, and institutions on the one hand, and the day-to-day reality of many women on the other. Systemic inequalities and discrimination persist in social structures, practices, and attitudes. This impairs the capacity of women to fully enjoy the rights enshrined in the legal framework. Furthermore, non-nationals like refugees, asylum seekers, and migrants are largely excluded from the rights enjoyed by citizens.

The South African government ratified the Africa Women's Protocol, subject to the reservations expressed in Articles 4(j), 6(d), and 6(h) and a number of interpretative declarations on 17 December 2004. The Protocol was deposited with the Chairperson of the Commission of the African Union on 14 January 2005.

Even before the Protocol came into force, Oxfam GB South Africa supported activities to popularise it. Two public dialogues on the Africa Women's Protocol were held in Johannesburg and in Pretoria.

The public dialogue in Johannesburg was attended by members of civil-society organisations, government line departments, and the press. Guest speakers included Elize Delport, a consultant from the Human Rights Centre, University of Pretoria; Ms. Themba Kgasi, Commissioner, Commission for Gender Equality; Mr. Enver Daniels, Chief State Law Advisor; Wendy Isaack, Lesbian and Gay Equality Project; Rachel Dube, People Opposing Women Abuse (POWA); Tizeta Wodajo, Lawyer for Human Rights; and Ms. Suzzi Nkomo, Office of the Presidency.

In Pretoria, the public dialogue was to commemorate the 16 Days of Activism on Violence against Women. It was attended by a range of actors from international agencies, government departments, and Oxfam GB staff in the Regional Centre. The purpose of the dialogues was to:

- popularise the Protocol amongst civil-society organisations in South Africa;
- mobilise civil-society organisations to critically engage with key government offices to ensure the ratification of the Protocol as well as measures for effective implementation;
- lobby government to ratify the Protocol and to put mechanisms in place for its domestication.

During the dialogues, the Africa Women's Protocol was assessed in relation to the national context in South Africa. For example, the Johannesburg dialogue focused on the overview of the Protocol; the South African government's role in drafting the Protocol; legal and policy implications; the significance of the Protocol in relation to gender-based violence, HIV and AIDS, reproductive rights, gay and lesbian rights, and socio-economic rights; and the South African position on the Protocol. The public dialogue in Pretoria was specific to the Africa Women's Protocol and focused on violence against women.

From both dialogues, the Africa Women's Protocol was found to have the following implications:

The South African definition was more comprehensive regarding violence against women. The Protocol's definition of discrimination is limited compared to the South African context. It mixes up the issue of refugees with harmful practices which is not the case in the South African legal framework, and it does not consider the multiple forms of gendered discrimination and how they intersect to impact negatively on women.

The Protocol was criticised for its emphasis on the reproductive role of women and its silence on sexual orientation issues, sex work, lesbians, prostitution, and choices with respect to methods of child-birth. The Protocol is presumed to be based on biological, heterosexual, married, and pregnant women. In this case it is outside the South African recognised definition of women as a social construction. It allows abortion under specific conditions, whereas in South Africa, women have the choice to terminate pregnancy as spelled out in the Termination of Pregnancy Act.

On HIV and AIDS, the Protocol was found to be progressive as it outlaws negative cultural practices that predispose women to HIV infection and contains a clause on discrimination that can be beneficial to HIV positive women. It was however found to have some gaps. It is silent on women's right of access to information and treatment in case of HIV and AIDS and on the choice of HIV positive mothers to have children.

The dialogue in Johannesburg recognised the Protocol's strength on unpaid labour, employment, and labour rights from which South Africa could benefit.

It was noted that South Africa had not domesticated the African Charter on Human and People's Rights.

Policy research on the Protocol

South Africa was one of the three countries on which the policy research focused. The research contributed to discussions assessing the implications of this decision in the South African context, and maps out the best method for popularising the existence and promoting the implementation of the provisions contained in the Protocol. The research focused on three issues: governance, violence against women, and sexual and reproductive health and rights.

The methodology included a literature review and was supported by interviewees' contributions. As part of the research process, a national consultative workshop was held to strengthen the research process. The workshop was organised jointly with the Gender Advocacy Program (GAP).

Oxfam GB was invited to present the findings of the research to the Joint Monitoring Committee on Quality of Life and Status of Women in the Parliament of the Republic of South Africa.

Implications of the Protocol

Governance

Article 6 requires states to take specific positive action to promote participative governance and the equal participation of women in the political life of their countries. It also requires state parties to ensure increased and effective representation and participation of women at all levels of decision-making.

The Protocol can be used to strengthen the regulatory framework for participation through legislating affirmative-action measures such as quotas. Whereas great strides have been made with regard to the participation of women in politics, progress is dependent on the goodwill of the African National Congress (ANC). The Protocol could be used to give impetus in areas that have lagged behind such as the judiciary, local government, the private sector, the armed forces, and the public service.

Violence against women

In Article 4, state parties commit themselves to enact and enforce laws to prohibit all forms of violence against women whether it takes place in public or private. States are also obligated to adopt legal, administrative, social, and economic measures that ensure the prevention, punishment, and eradication of violence against women. They commit themselves to provide adequate budgets and other resources for the implementation and monitoring of these measures.

The commitment by governments to provide adequate budgets could help bridge the gap between laws and policies on the one hand and their implementation on the other. The Protocol tackles trafficking which remains a pervasive problem that has yet to be adequately addressed.

Article 5 prohibits and condemns all forms of harmful practices which negatively affect human rights and which are contrary to international standards.

Women remain the victims of harmful traditional practices. The Protocol could be used to strengthen the legislative and policy framework. While the constitution and laws provide general protection, no detailed laws or policies exist on specific harmful practices such as female genital mutilation, dry sex, abduction, forced marriage or *ukungena* (widow inheritance), or burning or victimising women branded 'witches'. Furthermore, grey areas remained for practices such as *lobola* (bride price), virginity testing, and some initiation rites. More work needs to be done and a consensus built on the circumstances under which some traditional practices become harmful and how women can be protected.

Health and reproductive rights

Article 14 calls on state parties to ensure that the right to health of women including sexual and reproductive health is respected and promoted. It also enshrines the right of women to protection against sexually transmitted infections including HIV. It authorises medical abortion in cases of sexual assault, rape, incest, and where pregnancy endangers the mental and physical health of mother or foetus.

In light of the high prevalence rates of HIV, the Protocol could be used by activists to adopt a rights-based approach as opposed to a welfare approach in

advocating for more effective action. In addition, the Protocol emphasises rural areas. This could help bridge the wide disparity in access to services. With respect to abortion, the Termination of Pregnancy Act goes further than the Protocol.

The study came up with the following recommendations:

Key drivers/actors in the process of popularisation and implementation:

- Champions and ambassadors. Gender machinery should be complimented by public faces, hopefully both men and women who become emblems of the Protocol
- NGOs
- Commission on Gender Equality (CGE)
- Office on the Status of Women (OSW) and Gender Focal Points (GFPs)
- Joint Monitoring Committee on Improvement on the Quality of Life and Status of Women (JMCIQLSW)
- The Coordination Forum of the National Gender Machinery should be a space to formulate common actions, feed back and evaluate strategies and activities undertaken by the different components of the National Gender Machinery
- Government departments
- The Department of Communications
- The Department of Foreign Affairs
- Academia

Detailed recommendations are outlined in the section on recommendations.

Conclusion

A number of activities have been undertaken to popularise the Protocol. Raising awareness about the Protocol is critical. Unfortunately it is often difficult to determine the strength of the link between raising awareness and changing behaviour. Nevertheless, popularisation cannot be an end in itself. To maximise its impact, it must go hand in glove with the domestication of the Protocol. This entails integrating its provisions into national legal and policy frameworks. For its part, Oxfan GB is already 'walking the talk' by integrating the Protocol's provision in some of its own programmes in Southern Africa. We will continue working with others to support ratification, domestication, and popularisation and monitoring of the African Union Women's Protocol.

Recommendations

Country recommendations

South Africa

POPULARIZATION OF THE PROTOCOL/UNPACKING IMPLICATIONS OF PROVISIONS

Actor	Proposed Strategies and Activities	Target Group
All political parties	<p>Inform their constituencies of the existence of the Africa Women's Protocol. Make links between local and regional issues.</p> <p>Use any upcoming elections to promote the provisions of the Protocol, especially as they relate to the promotion of women's right to participate in elections and to represent their constituencies on the one hand, and the need for government policies and programmes to respond and cater to women's interests on the other.</p>	<ul style="list-style-type: none"> • Political parties' constituencies • Local government wards
OSW (national and provincial)	<p>Develop conceptual document that draws the linkages between the Africa Women's Protocol and the Gender Policy Framework and discuss it in the Coordination Forum of the NGM, distribute IEC material for popularisation campaigns.</p> <p>Discuss the Protocol and the implications for their particular sectors with the Gender Focal Points (GFPs).</p>	<ul style="list-style-type: none"> • Coordination Forum of the NGM • National and provincial GFPs
OSW jointly with the Department of Communications	<p>Inform all the organs of state and government departments about the existence of the Protocol and the implications of the provisions for their particular sector.</p>	<ul style="list-style-type: none"> • The Presidency, commissions involved with rights of

Actor	Proposed Strategies and Activities	Target Group
		children and people with disabilities <ul style="list-style-type: none"> • All government departments
OSW Departmental GFPs	Promote the existence of the Protocol and unpack the implications for each sector during government cluster meetings and Director General (DG) forums; holding forums, disseminating information on the implications of the Protocol for their particular sector and raising it during planning and evaluation of government department projects.	<ul style="list-style-type: none"> • Government Clusters, especially Justice, Social Development • Director General forums • All government departments
Joint Committee on the Improvement of the Quality of Life and Status of Women (JMCIQLSW) with Foreign Affairs	<p>Promote discussion of the Africa Women’s Protocol and disseminate IEC material in Parliament and Parliamentary Committees.</p> <p>Hold meetings with relevant sector ministers to promote existence of the Protocol and to assess the implications of the Protocol for their particular sectors.</p> <p>Provincial legislatures and local councils should also receive information. The speakers should be approached and convinced of the importance of the Protocol.</p>	<ul style="list-style-type: none"> • Parliament • Portfolio Committees • Ministers • Provincial legislature
NGOs and CGE	<p>Hold meetings with chief whips from each political party.</p> <p>Hold round tables, dialogues with representatives of the different political parties to inform, educate and obtain buy in.</p>	<ul style="list-style-type: none"> • Chief Whips • Representatives of different political parties • Mayors • Local

Actor	Proposed Strategies and Activities	Target Group
	<p>Hold meetings to discuss existence and relevance of Protocol with Mayors and local councilors.</p> <p>Hold gender dialogues and public hearings to popularise Protocol and discuss implications of Protocol for promoting gender equality in SA.</p>	<p>councillors</p> <ul style="list-style-type: none"> • Local councils • NGOs; CBOs; communities; private sector; government
CGE	Lobby the other Chapter Nine bodies on the relevance of the Protocol for their work, as well as explore the possibility of joint campaigns.	<ul style="list-style-type: none"> • Chapter Nine bodies, especially Human Rights and Electoral Commissions
NGOs	<p>Develop a ‘commentated publication’ that highlights general provisions and principles of the Protocol and its importance for promoting gender equality in the context of South Africa and the region. This should be followed by a detailed exploration of the implications of the protocol for different sectors and for people’s daily lives. Case studies of concrete issues in people’s lives and how it relates to the provisions should be used. Accessible and user friendly.</p> <p>Develop position papers on the different provisions in the Protocol, which examine the implications of the provision for each sector and analyse how it’s being implemented in the current South African context. These would be useful materials on which to base advocacy campaigns as well as on which to base discussions with policy makers.</p> <p>Develop fact sheets, pamphlets, and posters to popularise the Protocol and its application/relevance for NGOs, government departments, and the private sector. These could also be distributed to the media.</p>	<ul style="list-style-type: none"> • Community-based organisations • NGOs • Trade Unions • Social movements • Government departments • Policy makers • Media

Actor	Proposed Strategies and Activities	Target Group
	Develop educational material directed at people with a lower level of education, such as photo comics.	
NGOS, CGE, and Department of Communications.	<p>Conduct media campaigns promoting the Protocol and the relevance of its provisions for different sectors and the person on the street. This could include publishing the above material in one's own publications; the Womensnet web page, Gender Stats; the government and CGE web page.</p> <p>Participate in radio talk shows, community radio, posting radio adverts and inserting the material in a popular form in local television soaps.</p>	<ul style="list-style-type: none"> • General public • Community-based organisations • NGOs • Government • Private sector
Training NGOs and CGE	<p>Develop training material/ guides on the Protocol and its relevance. This could be both an informative training manual, as well as a guide to how to use the Protocol for advocacy purposes. It could include basic information on the African Union and its structures and processes, the different provisions of the Protocol and its relevance to each sector (including case studies); guidelines on how to use it as an advocacy tool, including the monitoring procedures and avenues available for accountability. The above-mentioned educational material, such as fact sheets, position papers, and commentated publications could be included in informational resources.</p> <p>It would need to be developed for a number of audiences, notably community organisations, NGOs,</p>	<ul style="list-style-type: none"> • Community-based organisations • NGOs • Trade Unions • Social movements • Media • Government departments

Actor	Proposed Strategies and Activities	Target Group
	and government departments.	
NGOs and Department of Education	Promote the idea that formal educational institutions include the Protocol in their curricula, as well as consider it in research projects, which could be carried out by the Departments of Legal Studies; Public Policy; Political Science; Gender Studies and African Studies. Schools.	<ul style="list-style-type: none"> • University students • Academics • Schools
NGOs	Promote that the Protocol be included in short courses run by winter and summer schools.	<ul style="list-style-type: none"> • Community-based organisations • NGOs • Social movements
OSW	Include the Protocol in the curricula of the South African Management Development Institute (which trains all managers within the public service).	<ul style="list-style-type: none"> • Public service managers

Mozambique

Policies:

- Devise a strategy for the popularisation and implementation of the Protocol
- Lobby for the adoption and implementation of the Gender National Policy and Strategy
- Incorporate gender issues in the PRSP

Institutions:

- Strengthen mechanisms for promoting gender equality
- Lobby for creation of a commission to work with the ministry of Gender and Social Development

Networks and alliances:

- Build and strengthen strategic alliances
- Re-activate the network on violence against women
- Build partnerships with the media to garner its support for efforts to sensitise the public on women's rights
- Strengthen collaboration between NGOs and the Ministry of Women and Social Action

- Involve men
- Create networks to lobby government with each group focusing on a specific thematic area

Unpacking the Protocol:

- Translate the Protocol in simple local languages
- Establish interpretation of Protocol to national context

Tools:

- Plan and conduct surveys and research on traditional rights and community practices in a bid to promote understanding of the situation at the grassroots and to differentiate between positive and negative practices and traditions
- Support the development of gender indicators and other monitoring and evaluation instruments, and periodically assess progress

Advocacy:

- Advocate for the inclusion of more women in decision-making and governing bodies, better access for women to education
- Campaign for the extension of health services in rural areas
- Lobby for introduction of peace education and gender equality in schools

Sensitisation:

- Increase awareness on women's rights
- Promote, disseminate, and market the new Family Law

Notes

¹ Rosemary Semafumu Mukasa: *The Protocol to the African Charter on Human and People's Rights: Harnessing a Potential Force for Positive Change*, Oxfam GB, 2005.

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